

PHONORECORDS IV

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Library of Congress
Washington, D.C.

In re

Determination of Royalty Rates and Terms
for Making and Distributing
Phonorecords
(Phonorecords IV)

Docket No. 21-CRB-0001-PR
(2023–2027)

WRITTEN DIRECT STATEMENT AND TESTIMONY OF GEORGE D. JOHNSON (GEO) a Pro Se PARTICIPANT

Volume 1

Introductory Materials

Including George Johnson's Written Direct Statement,
Proposed Rates and Terms, and Testimony.

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*George D. Johnson (GEO), an individual
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George Johnson Music Publishing (GJMP)
(formerly BMI)*

Wednesday, October 13, 2021

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21-CRB-0001-PR (2023-2027)

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A. **INTRODUCTORY MEMORANDUM TO THE
WRITTEN DIRECT STATEMENT OF GEORGE D. JOHNSON (“GEO”)**

Participant George Johnson (“GEO”), an individual American citizen and *pro se* Appellant songwriter¹, respectfully submits his Written Direct Statement (“WDS”) and Testimony to the Copyright Royalty Judges (“CRJ or “Panel”) in accordance with 37 C.F.R. § 351.4².

GEO is also an independent music publisher, sound recording copyright creator, singer, author, and non-attorney without pay.

This memorandum describes the contents of GEO’s Written Direct Statement and briefly summarizes the Testimony of my only witness, myself. Therefore, GEO respectfully requests that Your Honors consider this entire WDS as GEO’s Testimony and vice versa since my WDS will be further argued in my Testimony.

GEO has no RESTRICTED version and only this PUBLIC VERSION.

¹ “subject to” the 1909 compulsory license at issue in this proceeding under §115 and 37 C.F.R. §385 overall, including Subparts A B, C, (D) and the newly named, “Subpart B configurations”.

² <https://www.ecfr.gov/current/title-37/chapter-III/subchapter-B/part-351#351.4>, 37 C.F.R. § 351.4

CONTENTS OF GEO'S WRITTEN DIRECT STATEMENT

Volume 1 contains (A) this introductory memorandum; (B) GEO's proposed I.) rates II.) terms and III.) other issues; (C) an index of GEO's witnesses; (D) an index of GEO's exhibits; (E) a declaration regarding GEO's testimony; (F) a certificate of service (G) the written direct testimony of GEO as an expert witnesses and fact witnesses;

Volume 2 contains GEO's exhibits;

Volume 3 contains GEO's designated testimony from prior proceedings.

INTRODUCTION

Every other Participant in these proceedings is calling for *no change* in rates, terms, service categories, or rate structures and for everything to remain the same.

Even our own songwriter lobbyists want no increase in the 9.1 cent royalty.

Therefore, as the only songwriter in these proceedings and the *only person* in these proceedings literally "subject to" these rates and terms, GEO respectfully proposes the following sets of reasonable rates and terms for §115 musical works in 37 C.F.R. §385, Subparts A, B, C, and D, including the "Subpart B Configurations".

B. BRIEF STATEMENT OF GEO’S PROPOSED RATES AND TERMS

GEO proposes the following reasonable royalty rate and terms for the making and distribution of *physical* and *digital phonorecords* under the compulsory license provided in 17 U.S.C. §115, 37 C.F.R. §385 Subpart A³, and “Subpart B Configurations”, for the period January 1, 2023 through December 31, 2027.

GEO then proposes the following reasonable royalty rates and terms for *streaming royalties* under Subparts B⁴, C and D pursuant to 37 C.F.R. § 385, for the period January 1, 2023 through December 31, 2027.

PER-PLAY OR PERCENTAGE OF REVENUE MODEL FOR SUBPART B?

First, in the Final Determinations for *Web IV* and now *Web V*, the CRB ruled that all rates would be based on a *per-play royalty* rate model (“PPR”) instead of the *percentage of revenue* (“POR”) model the Panel adopted in *Phonorecords III*.

Due to Congress changing the 801(b) standard in *Phonorecords III* to a willing buyer, willing seller standard for *Phonorecords IV*, I understand that this legal change creates a possibility where Your Honors may likely adopt a per-play model here in *Phonorecords IV*, which I would welcome as would NMPA and NSAI.

For these reasons I am offering both models until Your Honors determine which model is most appropriate for Subpart B streaming — a reasonable per-play rate proposal, or a reasonable percentage of revenue rate proposal?

³ the old Subpart A–Physical Phonorecords Deliveries, Permanent Digital Downloads and Ringtones, 37 C.F.R. §§ 385.1 to 385.3, 385.4 to 385.10., now called the “Subpart B Configurations”.

⁴ the old Subpart B–Interactive Streaming and Limited Downloads, 37 C.F.R. §§ 385.10-385.17, *et al.*

I also understand this change from 801(b) to a willing buyer, willing seller standard legally allows Your Honors additional freedom to choose the best parts from *all* proposals to mix and match these best parts into a final determination.

For this additional reason, instead of offering only one proposal for rates and terms, I offer Your Honors several proposals to choose from, with additional options.

RATES AND TERMS

I. GEO respectfully proposes the following modifications to **rates**; (1.) to adjust the 9.1 cent rate for *lost inflation*, from 1909 to 1978 using the Consumer Price Index (“CPI”), and then CPI adjusted going forward, exactly like the Panel determined in the recent *Web V*, (2.) an optional Subpart B *percentage of revenue* streaming proposal, (3.) an optional Subpart B *per-play rate* streaming proposal, (4.) a voluntary *sales model* (See BUY Button) similar to if Apple Music and iTunes combined, (5.) or a mandatory sales model creating a *new rate structure* merging the subscription/access streaming model and the old record sales model ie., *the same exact business model* as Apple TV, Amazon Prime, Disney+, etc.

Apple TV already merges the sale and the stream by combining both models.

II. GEO respectfully proposes the following modifications to **terms**; (1.) abolish unlimited, *limited downloads* with no sale and in exchange for a 9.1 cent

sale, (2.) a voluntary BUY Button for sales, (3.) a Tip Jar - GEO proposes a tip jar, better than the ones on Spotify⁵ ⁶, and Twitter⁷, and for all of the Services.

III. GEO respectfully proposes several **other issues** to please consider and carefully weigh in general, but also using the four prongs of the new willing buyer, willing seller standard. They are; (1.) 3 foreign corporations⁸ are *negotiating with themselves* which can't be legal, (2.) there can be *no willing buyer or willing seller* if record labels and publishers are negotiating with themselves (which clearly violates prong 2 - the *Same* (or similar) *Parties Test*), (3.) the *shadow of the compulsory license* is still very relevant in general, but also the shadow's effect on all so called "voluntary agreements", (4.) most importantly, the *cannibalization of musical works or the substitution effect of streaming on sales* could now be *the most important issue* in *Phonorecords IV* because of the legal change from 801(b) standard to a willing buyer, willing seller standard. I pray the substitution of sales can finally be solved.

The above mentioned proposals, rates and terms will be explained and argued below, and in more detail in GEO's attached Written Testimony.

⁵ <https://artists.spotify.com/blog/introducing-artist-fundraising-pick> Spotify Artist Fundraising Tip Jar.

⁶ <https://www.vice.com/en/article/k7qqw3/spotify-tip-jar-donations-fair-pay-royalties-musicians> Vice.

⁷ https://blog.twitter.com/en_us/topics/product/2021/introducing-tip-jar Twitter tip jar.

⁸ Access Industries in Russia owns both Warner Music Group and Warner Music Publishing just like Vivendi in France owns both Universal Music Group and Universal Music Publishing.

I. PROPOSED RATES

GEO proposes the following modifications to **rates** set forth in 37 C.F.R. §385 Subparts A, B, C including the “Subpart B Configurations”.

1.) *Increase the 9.1 cent mechanical rate for lost inflation to 56 cents* - like previous attempts by GEO. While an inflation adjustment may be considered a *term* instead of a *rate* increase, since it’s just equalizing, or making up for a long overdue below-market rate, I respectfully propose that the 9.1 cent mechanical be adjusted by Your Honors, preferably by *sua sponte* or by litigation — to finally equalize the 83 year gap of lost or ignored inflation from 1909 to 1978 and 2006 respectively. Even NMPA and other attorneys agree the 9.1 cents should be adjusted to at least 50 cents.

All this does is adjust the 9.1 cents to a break-even point for 2023 thru 2027.

Of course, all rates will be tied to the Consumer Price Index to adjust for future inflation, just as the Panel tied sound recordings to the CPI in *Web IV*.

The Panel also has a long history of §115 mechanical rate inflation adjustment precedent⁹ tied to the CPI from 1978 to 2006 where the rate has been frozen and this evidence is even on the CO website. Other precedent.¹⁰

⁹ <https://copyright.gov/licensing/m200a.pdf> U.S. Copyright Office website, Mechanical License Royalty Rates from 1909 to 2006.

¹⁰ 17 U.S.C. §805(3), <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title17-section805&num=0&edition=prelim>, also Pub. L. 108–419, §3(a), Nov. 30, 2004, 118 Stat. 2360 General rule for voluntarily negotiated agreements, “Any rates or terms under this title that... (3) are in effect for a period shorter than would otherwise apply under a determination pursuant to this chapter, shall remain in effect for such period of time as would otherwise apply under such determination, *except that the Copyright Royalty Judges shall adjust the rates pursuant to the voluntary negotiations to reflect national monetary inflation during the additional period the rates remain in effect.* (emphasis added)

Additionally, under §805(3) the “General rule for voluntarily negotiated agreements”, when applicable, the code even states “the Copyright Royalty Judges *shall adjust the rates...to reflect national monetary inflation...*) (emphasis added)

2.) *Subpart B streaming — Percentage of Revenue Model* - Similar to the findings of the United Kingdom government DCMS review¹¹ by Parliament¹² which found that streaming corporations, record labels, and the music industry in general needed a “complete reset”, and GEO completely agrees. GEO proposes to the Panel that the CRB and Americans have the exact same problems as the UK, because it’s the exact same 3 foreign record labels that are causing most of the problems. I pray this Panel will intercede as the UK Parliament has. The UK Parliament report said that streaming companies offer “pitiful returns” to songwriters and that is no different here in the United States.

Therefore, and based on the DCMS evidence, if Your Honors choose a percentage of revenue model, GEO respectfully proposes the exact same split of streaming revenue as the UK government to a fair **50/50 percentage distribution** between musical works copyrights vs. sound recording copyrights. This equal distribution between songwriters and music publishers on one hand, and artists and records labels on the other hand is long overdue and 50/50 is fundamentally fair.

¹¹ <https://variety.com/2021/music/news/uk-government-streaming-report-labels-artists-1235020210/> July 14. 2021. U.K. Parliament Slams Major Music Labels, Backs Artists in Damning Report on Streaming Revenue.

¹² <https://committees.parliament.uk/publications/6739/documents/72525/default/> July 9. 2021The House of Commons, Digital, Cultural, Media and Sports Committee (DCMS) “Economics of Music Streaming” Report.

One major reason why there is a 75/15 percentage disparity between sound recordings and music works royalties over the past 15 years is because the 3 major records labels and 3 major publishing companies *are the same companies*.

So, the 50/50 equal split the United Kingdom government has just proposed is just like SoundExchange distributing sound recording royalties that are split 50/50 between *artists* and *record labels*, which is just like the industry standard 50/50 split of a musical work “pie” between *songwriters* and *publishers*. So, it’s time for the United States to adopt the same 50/50 percentage split between *musical works creators* and *sound recording creators* in Subpart B — if Your Honors choose to continue with a percentage of revenue model over a per-play streaming model.

In fact, it’s time for a 50/50 split on all downloads and sales between record labels and songwriters/publishers, but that is not covered under CRB rules.

It’s also interesting that British MP’s recognize 4 major problems that are the exact same problems American songwriters need fixed.¹³

3.) *Subpart B streaming — Per Play Model* - Exactly like the most recent *Web V* final determination, and to finally pay music creators equally, GEO respectfully proposes the exact same rate of **26 cents**¹⁴ for subscription and **21 cents** for non-subscription per-play for all digital streaming Subpart B §115 musical works. It’s time to equal the value gap and pay disparity in copyrights.

¹³ https://houseofcommons.shorthandstories.com/music-streaming-must-modernise-DCMS-report/index.html?utm_source=committees.parliament.uk&utm_medium=referrals&utm_campaign=economics-music-streaming&utm_content=organic House of Commons Report on Economics of Streaming.

¹⁴ <https://app.crb.gov/document/download/25678>, *Web V* final determination per performance rate.

Of course, all *Phonorecord IV* rates will be tied to the CPI, just like the Panel tied sound recordings to the CPI in *Web IV*. American songwriters should no longer be discriminated against and cheated with nothing less than **26 or 21 cents**.

4.) *Voluntary Sales Model* - GEO proposes incorporating a voluntary BUY button. The public should have the freedom to buy and download songs, albums or playlists if they so chose, to support their favorite artists or take their songs with them to listen offline (which they currently do for free and with unlimited downloads). This valuable line extension or additional product to purchase adds additional revenue to all the music creators — and to the Services if they choose to participate in this additional income, as GEO proposed in *SDARS III* and *Phono III*.

5.) *Mandatory Sales Model — New Rate Structure* - GEO has proposed countless options over 4 rate proceedings to try and negotiate additional income stream while going to great lengths to try and come up with ideas that do not disrupt the Services business model, and only add income to it, this goes for the 3FHRLs as well. Therefore, instead of trying to negotiate with people who will never negotiate I believe that the only way to fix the rate structure is to force the paying *customer* back into the equation, which means the CRB forcing the Services and the 3FJRL's to adopt a *mandatory* BUY button and force every subscriber to pay for every song, album or playlists on top of the \$9.99 subscription fee that only goes to the Services. This sounds harsh but the Services and 3FHRLs are *forcing* all American songwriters and music publishers to take *zero cents* for their songs, while *fighting* to keep American songwriters with *zero sales* and *zero increases in*

the 9.1 cents, while forcing American songwriters *to give away their property* with unlimited, limited downloads as well. Customers need to pay for the product.

The subscription fee is for access and convenience and portability, not ownership and now unlimited ownership. Some argue streaming is just *renting music*, well Disney+ and Apple TV, a Participant, *force customers to pay to RENT* a movie or television *episode* at \$2.99 to \$4.99 on TOP of the Subscription fee.

For 100 years the customer paid the songwriter and publisher directly and that was a solid business model which I am proposing to merge with the current access model, or supplant it entirely, like every other normal business model that makes a profit.

American songwriters and music publishers (singers, artists, and independent labels too) have been exploited and used by these 3 Foreign Headquartered Record Labels (“3FHRL) for 20 years now and its time for songwriters and publishers to start using these public streaming platforms, built on the backs of American songwriters and music publishers, *to finally benefit us with dollars* and terms we want, not nano-pennies with no sales and endless empty promises.

II. PROPOSED TERMS

GEO proposes the following modifications to the current **terms** set forth in 37 C.F.R. §385 Subparts B and C.

- 1.) *Abolish the current unlimited “limited download”* with no sale, and in exchange for a 9.1 sale.
- 2.) *Create a BUY Button* for voluntary sales.
- 3.) *Create a Tip Jar* similar to the ones already on Spotify and Twitter¹⁵ ¹⁶.

III. OTHER ISSUES

GEO respectfully proposes a few **other issues** to please consider and carefully weigh in general and if applicable, by using the four prongs of the new willing buyer, willing seller standard. They are;

- 1.) 3 foreign corporations are *negotiating with themselves* and that is wrong.
- 2.) There can be *no willing buyer or willing seller* if, again, 3 corporations are negotiating with themselves, much less *foreign headquartered* and *vertically integrated* corporations like Vivendi in France or Access Industries in Russia.

These 3 major record labels and major publishing companies *are clearly the same parties*, or “similar parties”, negotiating with themselves (which violates prong 2 - the *Same (or similar) Parties Test*), under the new willing buyer, willing seller.

¹⁵ <https://www.musicxtechxfuture.com/2021/05/11/why-twitter-is-better-positioned-for-tipping-musicians-than-streaming-services-like-spotify-and-soundcloud/> Twitter tip jar article.

¹⁶ https://blog.twitter.com/en_us/topics/product/2021/introducing-tip-jar Twitter tip jar on Twitter.

(3.) The *shadow of the compulsory license* is still very relevant, in general, and I have always brought this issue up since I first heard SoundExchange propose it in *Web IV*.

NMPA and NSAI have also argued the powerful and very real effect the shadow has on all rates. There is also a clear effect of the shadow on all so called “voluntary agreements”.

But because of the 801(b) standard, the true weight, value and practical reality of the shadow was not legally permissible to fully consider.

We pray the shadow can finally be lifted under the new willing buyer, willing seller standard to closer simulate an actual free market, freeing Your Honors to now consider and act, even *sua sponte*, on issues that were closed off to the Panel under 801(b).

(4.) Most importantly, the *cannibalization of musical works or substitution effect of streaming on sales* could now be *the most important issue* in *Phonorecords IV* because of the legal change from 801(b) standard to a willing buyer, willing seller standard.

If the substitution of the sales format by streaming is now at issue, GEO respectfully requests it be addressed and Your Honors give it the full weight that it deserves in *Phonorecords IV*.

C. INDEX OF WITNESS STATEMENTS

Expert Witnesses

Pursuant to Federal Rules of Evidence 702, GEO intends to offer himself as his own expert witness and fact witness to supply evidence of the business and economic basis of his rate proposals.

In *Phonorecords III*, the CRB declared GEO an expert witness in songwriting. GEO was also declared an expert in SDARS III in additional areas.

GEO's contact information is available throughout this WDS if needed.

Tab	Witness or Expert	Title
1	George Johnson, expert in songwriting by CRB.	Singer-Songwriter-Publisher, §115 and §114 Copyright Creator, Author, d/b/a George Johnson Music Publishing (formerly BMI) for 25 years in Nashville plus Geo Music Group

Fact Witnesses

Tab	Witness or Expert	Title
1	George Johnson	Singer-Songwriter-Publisher, §115 and §114 Copyright Creator, Author, d/b/a George Johnson Music Publishing (formerly BMI) for 25 years in Nashville plus Geo Music Group

D. INDEX OF GEO'S EXHIBITS FOR *PHONORECORDS IV*

All evidence is public and sponsored by George Johnson.

Exhibit No.	Description
GEO 1	mechanical-license-royalty-rates-1.png
GEO 2	mechanical-license-royalty-rates-2.png
GEO 3	83 years of frozen mechanicals evidence on copyright website.pdf
GEO 4	Frozen Mechanicals – Music Tech Solutions.pdf
GEO 5	GEO Ex. 023 - GEO2853 - Chart 4-InflationChart.jpg
GEO 6	GEO Ex. 005 - GEO2885 - RIAA 2015 Inflation-02.jpg
GEO 7	GEO Ex. 006 - GEO2886 - RIAA 2015 Inflation-03.jpg
GEO 8	GEO Ex. 007 - GEO2887 - RIAA 2015Inflation-04.jpg
GEO 9	GEO Ex. 017 - music-industry-1.jpg
GEO 10	GEO Ex. 015 - The REAL Death Of The Music Industry - Business Insider.pdf
GEO 11	GEO Ex. 016 - music-industry.jpg
GEO 12	GEO Ex. 019 - music-industry-3.jpg
GEO 13	GEO Ex. 113 - RIAA newest number March, 24, 2016 New York Times "In Shift to Streaming, Music Business Has Lost Billions".png
GEO 14	GEO Ex. 018 - music-industry-2.jpg
GEO 15	Gas Prices October 11, 2021 3.27 per gallon AAA.png
GEO 16	2021-07-30 July Core inflation reaches 3.5% highest since 1991.png
GEO 17	Music Industry Chart 1 2021 Inflation 5.3 daily mail on BLS mainstream.jpg article
GEO 18	now 5.4 inflation September daily mail world bank BLS.jpg
GEO 19	2020 to 2021 US Inflation Rate BLS.png
GEO 20	2021-10-13 September inflation 2021 BLS data.jpg

Exhibit No.	Description
GEO 21	2021-10-13 Twitter Washington Post Inflation was up 5.4 percent over last year in sept the highest rate in 13 years.png
GEO 22	BLS Inflation Calculator 1913 to to 2021 from 2 cents to 56 cents.png
GEO 23	2021 BLS Inflation Calculator from 1913 to 2021 from 2 cents to 56 cents zoom.png
GEO 24	GEO Ex. 119 - Frozen Mechanicals/ A Brief History The Trichordist.pdf
GEO 25	What if Inflation Is Here to Stay? - WSJ.pdf
GEO 26	Higher Inflation Is Here to Stay for Years, Economists Forecast - WSJ.pdf
GEO 27	Inflation, Supply-Chain Disruptions, Dysfunction In Washington And A New Workers' Mindset Contributed To A Disappointing September Jobs Report.pdf
GEO 28	Chart 9-A_to_B_to_CUS inflation/ Wholesale prices soar 7.8% in the biggest surge on record Daily Mail Online copy.pdf_Direct_License_2car.jpg
GEO 29	Supply chain crunch and rising cost of crude oil could put US on collision course with inflation Daily Mail Online.pdf
GEO 30	Home heating sticker shock/ The cost of natural gas is up 180% - CNN.pdf
GEO 31	Natural Gas Soars Most Since Last Winter on U.S. Scarcity Fears - Bloomberg.pdf
GEO 32	GEO Ex. 110 - GEO2901- (QUOTE ONLY) Roger Waters Slams Silicon Valley "Rogues and Thieves" Rolling Stone.pdf
GEO 33	NMPA David Israelite yearly salary of \$1,282,500 Screen Shot 2021-10-10 at 2.11.49 PM.png
GEO 34	Hipgnosis founder Merck Mercuriadis' message to the majors Publishing Music Week.pdf

Exhibit No.	Description
GEO 35	Artist Fundraising Pick from Spotify Tip Jar 1280-x-720-_Blog_.gif
GEO 36	U.K. Parliament Slams Music Labels, Backs Artists in Streaming Dispute - Variety.pdf
GEO 37	GEO Ex. 003 - SX Ex. 003 RIAA 2015 Shipment and Revenue.pdf
GEO 38	GEO Ex. 032 - GEO2862 - Chart 13-LRB_Act.jpg
GEO 39	GEO Ex. 033 - GEO2863 - Chart 14-LRB_Act_ATLA_Lobbyists.jpg
GEO 40	2021 Web V Determination CRB (dragged).pdf
GEO 41	2021-07-13 Congressman LD of Texas letter to CRB protesting frozen mechanicals.pdf
GEO 42	George Harrison's 'All Things' is No. 1 on Top Rock Albums Billboard copy.pdf
GEO 43	2021-09-20 Signed Fearless Taylors Version CDs available now.pdf
GEO 44	Taylor RED Vinyl pre-sales.jpeg
GEO 45	Taylor RED Vinyl sales.jpeg
GEO 46	Billy Joel 210826_vinylboxvol1.jpg
GEO 47	2021-09-15 Billy Joel Vinyl Album New Release The Vinyl Collection Volume 1 Learn more about this exciting release inside.pdf
GEO 48	Led Zeppelin iTunes Apple.png
GEO 49	jim-anderson-meme Spotify"The problem was to distribute music. Not to give you money, okay?".jpg
GEO 50	19-1028 Joint Appendix Public Appendix - Joint Appendix 19-1028 A616 through 650 2006 Phonorecords I agreement.pdf
GEO 51	GEO's 9.1 cents to 56 cents inflation adjustment plus CPI over 10 years
NOTE:	Old Exhibit numbers are from <i>PIII</i> , <i>SDARSIII</i> or <i>Web IV</i> .

By: /s/ George D. Johnson

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(2023–2027)

E. **DECLARATION OF GEORGE D. JOHNSON (GEO)**
REGARDING WRITTEN DIRECT STATEMENT AND TESTIMONY

Pursuant to 28 U.S.C. § 1746 and 37 C.F.R. § 550.4(e)(1), I declare under penalty of perjury that, to the best of my knowledge, information and belief, the foregoing is true and correct.

Respectfully submitted,

By: /s/ George D. Johnson
George D. Johnson, Pro Se
an individual songwriter and publisher
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*George D. Johnson (GEO), an individual
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George Johnson Music Publishing (GJMP)
(formerly BMI)*

Wednesday, October 13, 2021

F. CERTIFICATION OF SERVICE

I, George D. Johnson, (“GEO”) an individual Appellant songwriter, music publisher and Participant, hereby certifies that a copy of the foregoing George Johnson’s (GEO) Written Direct Statement for *Phonorecords IV* has been served this 13th day of October, 2021 by the eCRB electronic system to the CRB, all Participants and/or Counsel.

Wednesday, October 13, 2021 By: /s/ George D. Johnson
George D. Johnson, Pro Se
an individual songwriter and publisher
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*George D. Johnson (GEO), an individual
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(formerly BMI)*

Proof of Delivery

I hereby certify that on Sunday, October 17, 2021, I provided a true and correct copy of the GEORGE JOHNSON'S (GEO) WRITTEN DIRECT STATEMENT no Testimony CORRECTED to the following:

Joint Record Company Participants, represented by Susan Chertkof, served via ESERVICE at susan.chertkof@riaa.com

Google LLC, represented by Gary R Greenstein, served via ESERVICE at gggreenstein@wsgr.com

Zisk, Brian, represented by Brian Zisk, served via ESERVICE at brianzisk@gmail.com

Pandora Media, LLC, represented by Benjamin E. Marks, served via ESERVICE at benjamin.marks@weil.com

Powell, David, represented by David Powell, served via ESERVICE at davidpowell008@yahoo.com

Amazon.com Services LLC, represented by Joshua D Branson, served via ESERVICE at jbranson@kellogghansen.com

Copyright Owners, represented by Benjamin K Semel, served via ESERVICE at Bsemel@pryorcashman.com

Apple Inc., represented by Mary C Mazzello, served via ESERVICE at mary.mazzello@kirkland.com

Spotify USA Inc., represented by Joseph Wetzel, served via ESERVICE at joe.wetzel@lw.com

Signed: /s/ George D Johnson